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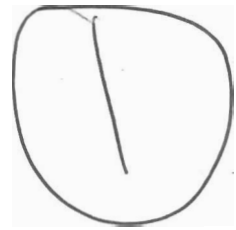
UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF PENNSYLVANIA

Carlton E Wilmore

CIVIL ACTION

v.
State of Delaware :
Dept. Homeland Security

NO. 05CV4459



MOTION TO PROCEED IN FORMA PAUPERIS

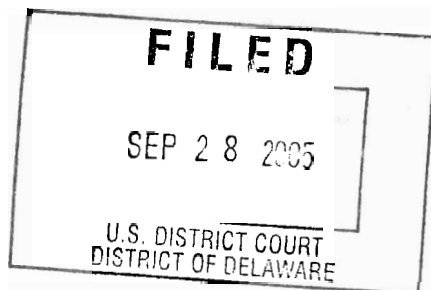
05-707-

FILED

AUG 22 2005

MICHAEL E. KUNZ, Clerk
By WJF Dep. Clerk

05-707



Carlton E Wilmore
Signature

48 Rose Lane
New Castle, DE 19720
Address

Carlton E Wilmore
Print your name

STATEMENT IN SUPPORT OF REQUEST TO PROCEED IN FORMA PAUPERIS

Carlton E Wilmore
Full name of Plaintiff

Civil Action No. 05CV4459

State of DE
Dept. Homeland Security
Defendant(s)

I, Carlton E Wilmore, declare under the penalty of perjury, that I am the plaintiff in the above-entitled case; that in support of my motion to proceed without being required to prepay fees, costs, or give security therefor, I declare that because of my poverty I am unable to pay the costs of said proceeding or to give security therefor and that I believe I am entitled to relief.

- 1.) Are you presently employed? Yes ☒ No ☐
 - a.) If the answer is "yes", state the amount of your salary or wages per month, and give the name and address of your employer. \$14.30 Hr.
 - b.) If the answer is "no", state the date of last employment and the amount of the salary and wages per month which you received.
- 2.) Have you received within the past twelve months any money from any of the following sources?

| | | |
|---|------------------------------|--|
| a.) Business, profession, or form of self-employment? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| b.) Rent payments, interest, or dividends? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| c.) Pensions, annuities, or life insurance payments? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| d.) Gifts or inheritances? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| e.) Any other sources? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

If the answer to any of the above is "yes", describe each source of money and state the amount received from each during the past twelve months.
- 3.) Do you own cash, or do you have money in a checking or savings account? Yes ☒ No ☐

If the answer is "yes", state the total value of the items owned. \$500
- 4.) Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? Yes ☒ No ☐

If the answer is "yes", describe the property and state its approximate value. Buick Roadmaster
\$3800
- 5.) List the persons who are dependent upon you for support, state your relationship to those persons, and indicate how much you contribute toward their support. Grandmom

I declare under the penalty of perjury that the foregoing is true and correct.

EXECUTED ON 08-22-05
(Date)

Carlton E Wilmore
(Plaintiff's Signature)

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**PLAINTIFF'S EMPLOYMENT ATTORNEY PANEL
PROGRAM DESCRIPTION**

Under the law, the federal district court may appoint an attorney to represent a plaintiff in an employment case.¹

A volunteer panel of attorneys sponsored by the Federal Courts Committee of the Philadelphia Bar Association - in conjunction with the Association's pro bono program, V.I.P. - has been approved by the Court. These attorneys, upon Court authorization, will represent employment action plaintiffs.

1.) Upon inquiry to the Clerk's office or upon the proposed filing of a pro se complaint, an employment action plaintiff will be given this Program Description, including the attached application for appointment of counsel from the panel.

2.) Upon approval of the application by the Clerk's office or, if an action has been filed, the assigned Judge, the plaintiff will be informed of the referral to an attorney,

1. Title VII of the Civil Rights Act of 1964, section 706(f)(1)(B), 42 U.S.C. §2000e-5(f)(1)(B), provides -

Upon application by the complainant and in such circumstances as the court may deem just, the court may appoint an attorney for such complainant and may authorize the commencement of the action without the payment of fees, cost, or security.

This program also includes Age Discrimination and Rehabilitation Act cases.

including the attorney's address and telephone number.² The Clerk's office will enter a minute order authorizing representation of the plaintiff by a member of the Employment Attorney Panel. The attorney to whom the reference is made will be sent a copy of the approved application. If the application for appointment of counsel is not approved, a brief written explanation will be given to the applicant. In cases in which the plaintiff does not appear able to afford an attorney, the application also will be referred to V.I.P. Under V.I.P., payment of costs and other benefits may be available.

3.) The plaintiff should promptly contact the attorney's office to arrange a meeting to discuss the case.

4.) Within 30 days after their first meeting, either the plaintiff or the attorney may decline, without explanation, to proceed with the representation.³ Upon plaintiff's request, a referral to another attorney may be made. In cases in which the plaintiff can afford an attorney or in which a fund may be created or a fee may be shifted to defendant as a result of the attorney's services, a written agreement covering fee and expenses will be entered into by the plaintiff and attorney. The attorney will not be required to advance costs.

5.) As an alternative to representation, the plaintiff and the attorney may agree to have the attorney act as a consultant.

6.) Individual lawyers and law firms will not be asked to accept more than one panel appointment at a time unless they so request. Appointments more often than once a year may also be declined.

2. From time to time the Federal Courts Committee will designate one of its members to be Program Coordinator. The Program Coordinator will supervise the recruitment of attorneys for the panel and will work with the Court, the Clerk's office, and V.I.P. to implement the program.

3. This initial period - in which either the plaintiff or the attorney may decline the representation - may be extended by agreement for an additional 30 days. Once the representation has been entered into and an appearance entered for the plaintiff, if the attorney finds it necessary to ask for leave to withdraw, the Court will give due consideration to the public service nature of the representation.

7.) As a part of the panel program, attorneys will be given informative material, including Richey's "Manuel on Employment Discrimination Law ... in the Federal Courts" (Federal Judicial Center 1988).

8.) Panel attorneys who specialize in the field will be available to confer with other panel members on particular issues.